

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8509-AG09-0817-192

IN THE MATTER OF:

Edward Todd Berry,
Respondent,

8134 Brookmont Ct. Unit 207
Indianapolis, IN 46278

Type of Agency Action: Enforcement

License Number: 419806

FILED

OCT 06 2009

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance ("Department") and Edward Berry, ("Respondent"), a resident insurance agent licensed in the state of Indiana, signed an Agreed Entry which purports to resolve all issues regarding the above cause number, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioner of Insurance:

1. Respondent was convicted of two (2) counts of theft, a felony, on August 15, 2008.

2. Respondent failed to report the charges within thirty days as required by Indiana Code 27-1-15.6-17 (b).
3. ~~Respondent shall pay an administrative fine in the amount of \$1,000.00 within~~
thirty (30) days of the filing of this Final Order.
4. Respondent's request for a waiver under 18 U.S.C. 1033 shall be granted upon receipt of the fine payment.

ALL OF WHICH IS ORDERED this 6th day of October, 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Distribution:

Edward Todd Berry
8134 Brookmont Ct., Unit 207
Indianapolis, IN 46278

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

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DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance ("Department"), and Edward Berry ("Respondent"), a resident insurance agent licensed in the state of Indiana, to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of Carol Cutter, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a resident insurance agent licensed in the State of Indiana, holding license number 419806; and,

WHEREAS, Respondent has held license 419806 since May 6, 2002; and,

WHEREAS, on or around August 15, 2008, Respondent was charged with two (2) counts of forgery, a felony, and two (2) counts of theft, a felony; and,

WHEREAS, Respondent failed to report these charges within thirty (30) days of the pretrial hearing, as required by Indiana Code 27-1-15.6-17 (b); and,

WHEREAS, on or around April 27, 2009, Respondent was convicted of two (2) counts of theft and acquitted of the two (2) counts of forgery; and,

WHEREAS, Respondent has applied for a waiver under 18 U.S.C. 1033; and,

WHEREAS, Respondent's behavior, as alleged herein, is cause for discipline under

~~Indiana Code 27-1-15.6-12 (b) (6), 27-1-15.6-17 (b), and,~~

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without the necessity of a hearing;

IT IS THEREFORE NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine in the amount of \$1,000.00 within thirty (30) days of the filing of a Final Order adopting this Agreed Entry.
6. Respondent's request for a waiver under 18 U.S.C. 1033 shall be granted upon receipt of the fine payment.
7. Respondent has carefully read this agreement and fully understands and accepts its terms.

9/14/09
Date Signed

Nikolas P. Mann
Nikolas P. Mann, Attorney
Indiana Department of Insurance

9/19/2009
Date Signed

Edward Berry
Edward Berry,
Respondent

STATE OF Indiana)
COUNTY OF Marion) SS:

Before me a Notary Public for Marion County, State of Indiana, personally appeared Edward Berry, and being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 9th day of September, 2009.

Cynthia C. Chambers
Signature

Cynthia C. Chambers
Printed

My Commissioner expires: 11-18-15

County of Residence: Marion



CASHIER'S CHECK

61-1/620 500 2679278

Edward Todd Berry
Purchaser

ONE THOUSAND DOLLARS AND 00 CENTS

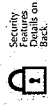
Pay to the order of: Indiana Department of Insurance

ADMIN FINE CASE # 8509-AG09-0317-192
Purchased For

09/09/2009

\$1,000.00

Regions Bank



Security
Features
Details on
back.

Edward J. Lawrence
Authorized Signature

Branch IN03014
CC033014

⑈ 500 2679278⑈ ⑆ 062000019⑆ 0000742651⑈